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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHARLES BARRETT,
Defendant.

CASE NO. 1:22-CR-00213-ADA-BAM

JOINT STATUS REPORT

BACKGROUND

The most recent status conference in this case occurred on December 14, 2022. Doc. 28. At that hearing, defense counsel requested that the Court set a continued status conference in 30 days to review discovery from the government and to continue investigation. *Id.* The Court set the matter for a status conference on January 11, 2023 and found good cause to exclude the period between December 14, 2022 and January 11, 2023 under the Speedy Trial Act. *Id.* The Court agreed to appoint a second counsel to represent the defendant. *Id.* (The Court subsequently appointed counsel on December 19, 2021. Doc. 29.) The Court indicated to the parties that it would set a trial date on January 11, 2023. Doc 28.

The Court had previously excluded time under the Speedy Trial Act based on representations from defense counsel that additional time was necessary despite the defendant's request to set a trial date. Doc. 25.

On December 20, 2022, the Court issued a minute order directing the parties to submit a joint status report “informing the court of the status of the case, including whether any change of plea is anticipated, a proposed next date for a status conference or change of plea, and whether defendant agrees to exclude time to the next date.” Doc 30. The parties’ response appears below.

STATUS REPORT

The parties do not anticipate a change of plea. Both defense counsel believes that an additional continuance of the status conference for 30 days is necessary to fully review discovery and conduct sufficient investigation to set the matter for trial.

Defendant does not personally consent to continuance of the status conference nor exclusion of time under the Speedy Trial Act. The parties are accordingly unable at this time to stipulate to a continuance of the status conference.

The parties therefore request that the status conference remain as previously set on January 11, 2023.

Should the Court set a trial, the parties request February 28, 2023. The parties calculate that approximately 55 days remain of the Speedy Trial Act’s 70-day period.

Respectfully submitted,
PHILLIP A. TALBERT
United States Attorney

DATED: January 4, 2023

By: /s/ Michael G. Tierney
Michael G. Tierney
Assistant United States Attorney

Dated: January 4, 2023

By: /s/ Timothy P. Hennessy
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